

Subpart B—Management Measures

§ 697.17 Non-trap harvest restrictions.

(a) *Non-trap landing limits.* In addition to the prohibitions set forth in § 600.725 of this chapter, it is unlawful for a vessel with any non-trap gear on board capable of catching lobsters, or, that fishes for, takes, catches, or harvests lobster on a fishing trip in or from the EEZ by a method other than traps, to possess, retain on board, or land, in excess of 100 lobsters (or parts thereof), for each lobster day-at-sea or part of a lobster day-at-sea, up to a maximum of 500 lobsters (or parts thereof) for any one trip, unless otherwise restricted by § 648.80(a)(3)(i), (a)(4)(i)(A), (a)(8)(i), (a)(9)(i)(D), (a)(12)(i)(A), (a)(13)(i)(A), (b)(3)(ii) or § 697.7(c)(2)(i)(C) of this chapter.

(b) All persons that fish for, take, catch, or harvest lobsters on a fishing trip in or from the EEZ are prohibited from transferring or attempting to transfer American lobster from one vessel to another vessel.

(c) Any vessel on a fishing trip in the EEZ that fishes for, takes, catches, or harvests lobster by a method other than traps may not possess on board, deploy, fish with, or haul back traps.

§ 697.18 Lobster management areas.

The following lobster management areas are established for purposes of implementing the management measures specified in this part. (A copy of a chart showing the American lobster EEZ management areas is available upon request to the Office of the Regional Administrator, NMFS, 1 Blackburn Drive, Gloucester, MA 01930.)

(a) *EEZ Nearshore Management Area 1.* EEZ Nearshore Management Area 1 is defined by the area, including state and Federal waters that are nearshore in the Gulf of Maine, bounded by straight lines connecting the following points, in the order stated, and the coastline of Maine, New Hampshire, and Massachusetts to the northernmost point of Cape Cod:

Point	Latitude	Longitude
A	43°58' N.	67°22' W.
B	43°41' N.	68°00' W.

Point	Latitude	Longitude
C	43°12' N.	69°00' W.
D	42°49' N.	69°40' W.
E	42°15.5' N.	70°40' W.
F	42°10' N.	69°56' W.
G	42°05.5' N.	70°14' W.
G1	42°04.25' N.	70°17.22' W.
G2	42°02.84' N.	70°16.1' W.
G3	42°03.35' N.	70°14.2' W.

(1) From point “G3” along the coastline of Massachusetts, including the southwestern end of the Cape Cod Canal, continuing along the coastlines of Massachusetts, New Hampshire, Maine, and the seaward EEZ boundary back to Point A.

(2) [Reserved]

(b) *EEZ Nearshore Management Area 2.* EEZ Nearshore Management Area 2 is defined by the area, including state and Federal waters that are nearshore in Southern New England, bounded by straight lines connecting the following points, in the order stated:

Point	Latitude	Longitude
H	41°40' N.	70°05' W.
I	41°15' N.	70°05' N.
J	41°21.5' N.	69°16.5' W.
K	41°10' N.	69°06.5' W.
L	40°55' N.	68°54' W.
M	40°27.5' N.	71°14' W.
N	40°45.5' N.	71°34' W.
O	41°07' N.	71°43' W.
P	41°06.5' N.	71°47' W.
Q	41°11.5' N.	71°47.25' W.
R	41°18.5' N.	71°54.5' W.

(1) From point “R” along the maritime boundary between Connecticut and Rhode Island to the coastal Connecticut/Rhode Island boundary and then back to point “H” along the Rhode Island and Massachusetts coast, including the northeastern end of the Cape Cod Canal.

(2) [Reserved]

(c) *Area 2/3 Overlap.* The Area 2/3 Overlap is defined by the area, comprised entirely of Federal waters, bounded by straight lines connecting the following points, in the order stated:

Point	Latitude	Longitude
K	41°10' N.	69°06.5' W.
L	40°55' N.	68°54' W.
M	40°27.5' N.	72°14' W.
N	40°45.5' N.	71°34' W.

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(d) *EEZ Offshore Management Area 3.* EEZ Offshore Management Area 3 is defined by the area, comprised entirely of Federal waters, bounded by straight lines connecting the following points, in the order stated:

Point	Latitude	Longitude
A	43°58' N.	67°22' W.
B	43°41' N.	68°00' W.
C	43°12' N.	69°00' W.
D	42°49' N.	69°40' W.
E	42°15.5' N.	69°40' W.
F	42°10' N.	69°56' W.
K	41°10' N.	69°06.5' W.
N	40°45.5' N.	71°34' W.
M	40°27.5' N.	72°14' W.
U	40°12.5' N.	72°48.5' W.
V	39°50' N.	73°01' W.
X	38°39.5' N.	73°40' W.
Y	38°12' N.	73°55' W.
Z	37°12' N.	74°44' W.
ZA	35°34' N.	74°51' W.
ZB	35°14.5' N.	75°31' W.
ZC	35°14.5' N.	71°24' W.

From point "ZC" along the seaward EEZ boundary to point "A".

(e) *EEZ Nearshore Management Area 4.* EEZ Nearshore Management Area 4 is defined by the area, including state and Federal waters that are near-shore in the northern Mid-Atlantic, bounded by straight lines connecting the following points, in the order stated:

Point	Latitude	Longitude
M	40°27.5' N.	72°14' W.
N	40°45.5' N.	71°34' W.
O	41°07' N.	71°43' W.
P	41°06.5' N.	71°47' W.
S	40°58' N.	72°00' W.
T	41°00.5' N.	72°00' W.

From Point "T", along the New York/New Jersey coast to Point "W"

W	39°50' N.	74°09' W.
V	39°50' N.	73°01' W.
U	40°12.5' N.	72°48.5' W.

From Point "U" back to Point "M".

(f) *EEZ Nearshore Management Area 5.* EEZ Nearshore Management Area 5 is defined by the area, including state and Federal waters that are near-shore in the southern Mid-Atlantic, bounded by straight lines connecting the following points, in the order stated:

Point	Latitude	Longitude
W	39°50' N.	74°09' W.
V1	39°50' N.	72°55' W.
X1	38°38.2' N.	73°33.8' W.
Y1	38°10.4' N.	73°49' W.
Z1	37°10.6' N.	74°38' W.
ZA1	35°31.9' N.	74°45.5' W.
ZB1	35°14.5' N.	75°19.3' W.

Point	Latitude	Longitude
ZB	35°14.5' N.	75°31' W.

From Point "ZB", along the coasts of North Carolina, Virginia, Maryland, Delaware, New Jersey back to Point "W".

(g) *Nearshore Management Area 6.* The Nearshore Management Area 6 is defined by the area, including New York and Connecticut state waters, bounded by straight lines connecting the following points, in the order stated:

Point	Latitude	Longitude
T	41°00.5' N.	72°00' W.
S	40°58' N.	72°00' W.

From Point "S", boundary follows the 3 mile limit of New York as it curves around Montauk Point to Point "P"

P	41°06.5' N.	71°47' W.
Q	41°11'30" N.	71°47'15" W.
R	41°18'30" N.	71°5'30" W.

From point "R", along the maritime boundary between Connecticut and Rhode Island to the coast; then west along the coast of Connecticut to the western entrance of Long Island Sound; then east along the New York coast of Long Island Sound and back to Point "T".

(h) *EEZ Nearshore Outer Cape Lobster Management Area.* EEZ Nearshore Outer Cape Lobster Management Area is defined by the area, including state and Federal waters off Cape Cod, bounded by straight lines connecting the following points, in the order stated:

Point	Latitude	Longitude
F	42°10' N.	69°56' W.
G	42°05.5' N.	70°14' W.
G1	42°04.25' N.	70°17.22' W.
G2	42°02.84' N.	70°16.1' W.
G4	41°52' N.	70°07.49' W.
G5	41°54.46' N.	70°03.99' W.

(1) From Point "G5" along the outer Cape Cod coast to Point "H":

Point	Latitude	Longitude
H	41°40' N.	70°05' W.
H1	41°18' N.	70°05' W.

(2) From Point "H1" along the eastern coast of Nantucket Island to Point "I":

Point	Latitude	Longitude
I	41°15' N.	70°00' W.
J	41°21.5' N.	69°16' W.

(3) From Point "J" back to Point "F".

(i) NMFS may, consistent with § 697.25, implement management measures necessary for each management

area, in order to end overfishing and rebuild stocks of American lobster.

[64 FR 68248, Dec. 6, 1999, as amended at 68 FR 14930, Mar. 27, 2003; 71 FR 13037, Mar. 14, 2006]

§ 697.19 Trap limits and trap tag requirements for vessels fishing with lobster traps.

(a) *Area 1 trap limits.* The Area 1 trap limit is 800 traps. Federally permitted lobster fishing vessels shall not fish with, deploy in, possess in, or haul back more than 800 lobster traps in Area 1.

(b) *Area 2 trap limits.* The Area 2 trap limit is 800 traps. Federally permitted lobster fishing vessels may only fish with traps that have been previously qualified and allocated into Area 2 by the Regional Administrator. This allocation may be modified by trap cuts and/or trap transfers, but in no case shall the allocation exceed the trap limit.

(c) *Area 3 trap limits.* The Area 3 trap limit is 1,945 traps. Federally permitted lobster fishing vessels may only fish with traps that have been previously qualified and allocated into Area 3 by the Regional Administrator. This allocation may be modified by trap cuts and/or trap transfers, but in no case shall the allocation exceed the trap limit.

(d) *Area 4 trap limits.* The Area 4 trap limit is 1,440 traps. Federally permitted lobster fishing vessels may only fish with traps that have been previously qualified and allocated into Area 4 by the Regional Administrator. This allocation may be modified by trap cuts and/or trap transfers, but in no case shall the allocation exceed the trap limit.

(e) *Area 5 trap limits.* The Area 5 trap limit is 1,440 traps, unless the vessel is operating under an Area 5 Trap Waiver permit issued under § 697.26. Federally permitted lobster fishing vessels may only fish with traps that have been previously qualified and allocated into Area 5 by the Regional Administrator. This allocation may be modified by trap cuts and/or trap transfers, but in no case shall the allocation exceed the trap limit.

(f) *Outer Cape Area.* The Outer Cape Area trap limit is 800 traps. Federally

permitted lobster fishing vessels may only fish with traps that have been previously qualified and allocated into the Outer Cape Area by the Regional Administrator. This allocation may be modified by trap cuts and/or trap transfers, but in no case shall the allocation exceed the trap limit.

(g) *Lobster trap limits for vessels fishing or authorized to fish in more than one EEZ management area.* A vessel owner who elects to fish in more than one EEZ Management Area is restricted to the lowest trap limit of those areas and may not fish with, deploy in, possess in, or haul back from any of those elected management areas more lobster traps than the lowest number of lobster traps allocated to that vessel for any of the elected management areas.

(h) *Conservation equivalent trap limits in New Hampshire state waters.* Notwithstanding any other provision, any vessel with a Federal lobster permit and a New Hampshire Full Commercial Lobster license may fish up to a maximum of 1,200 lobster traps in New Hampshire state waters, to the extent authorized by New Hampshire lobster fishery regulations. However, such vessel may not fish, possess, deploy, or haul back more than 800 lobster traps in the Federal waters of EEZ Nearshore Management Area 1, and may not fish more than a combined total of 1,200 lobster traps in the Federal and New Hampshire state waters portions of EEZ Nearshore Management Area 1.

(i) *Trap tag requirements for vessels fishing with lobster traps.* Any lobster trap fished in Federal waters must have a valid Federal lobster trap tag permanently attached to the trap bridge or central cross-member. Any vessel with a Federal lobster permit may not possess, deploy, or haul back lobster traps in any portion of any management area that do not have a valid, federally recognized lobster trap tag permanently attached to the trap bridge or central cross-member.

(j) *Maximum lobster trap tags authorized for direct purchase.* In any fishing year, the maximum number of tags authorized for direct purchase by each permit holder is the applicable trap limit specified in paragraphs (a)